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UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

-----X  
SPARTAN MEDICAL PRODUCTS LLC,

07-Civ-10515 (KMK) (LMS)

Plaintiff,

**STIPULATION OF  
DISMISSAL**

-against-

MAX AZEVEDO,

Defendant.  
-----X

WHEREAS, plaintiff Spartan Medical Products LLC filed a complaint in the Supreme Court of the State of New York, Westchester County on October 19, 2007, alleging breach of contract and breach of fiduciary duty; and

WHEREAS, defendant removed this case to this Court by filing a Notice of Removal on November 20, 2007, and filing an answer with counterclaims on November 27, 2007, alleging breach of contract and violations of New York Labor Law; and

WHEREAS, the parties have negotiated in good faith and have signed a settlement agreement and releases; and

WHEREAS, none of the parties to the above-captioned action is an infant or incompetent person; and

WHEREAS, the parties in the above-captioned action wish to discontinue the litigation;

IT IS HEREBY STIPULATED by and between the parties, through their respective counsel as follows:

1. The parties hereby agree that the above-captioned action is dismissed and discontinued with prejudice pursuant to Rule 41(a)(1)(ii) of the Federal Rules of Civil Procedure.
2. Any and all of the claims and counterclaims by the parties which are the subject of this action or otherwise arise out of any of the incidents alleged in the complaint or counterclaims have been settled pursuant to the separate settlement agreement and releases signed by the parties.
3. Nothing in this stipulation of settlement shall be construed as an admission or concession of liability whatsoever by any of the parties regarding any of the allegations made.

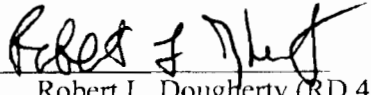
KAVANAGH MALONEY & OSNATO LLP

By:   
John A. Holl (JH 1619)

Date: January 15, 2008

415 Madison Avenue  
New York NY 10017  
212.207.8400  
Attorneys for Plaintiff

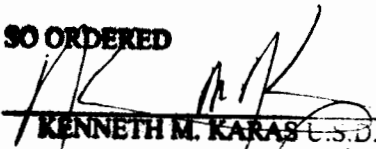
LAW OFFICES OF ROBERT L. DOUGHERTY

By:   
Robert L. Dougherty (RD 4890)

Date: January 14, 2008

226 Seventh Street, Suite 200  
Garden City NY 11530  
516.873.0808  
Attorneys for Defendant

**SO ORDERED**

  
**KENNETH M. KARAS** U.S.D.J.  
6/19/08